

REMARKS

Applicant requests reconsideration and withdrawal of the outstanding rejections in view of the foregoing amendments and the following remarks.

Claims 1-15 remain pending in this application, with Claim 1 being the sole independent claim. By this amendment, Applicant has amended the specification and independent Claim 1. No new matter has been added.

Claims 1, 2, 4, 6-8, 14 and 15 stand rejected under 35 U.S.C. § 102 over U.S. Patent Publication No. 2002/0172109 (Fujita). Claim 5 stands rejected under 35 U.S.C. § 103 over Fujita. Claims 3 and 9-13 stand rejected under 35 U.S.C. § 103 over Fujita in view of Japanese Patent Application No. 08-249695 (JP '695). Applicant traverses these rejections.

Independent Claim 1 is directed to an optical pickup device having a light source, an objective lens, a lens holding body, a support body, and an optical base. The lens holding body holds the objective lens. The support body supports the lens holding body such that the lens holding body is movable in at least one of a focusing direction and a tracking direction, with respect to the support body. The optical base holds the support body such that the support body is rotatable around a rotation axis perpendicular to the focusing and tracking directions.

Thus, tilt control of the objective lens is achieved by having the support body rotatable with respect to the optical base holding the light source. This provides for a smaller and thinner optical pickup device with easier tilt control.

Fujita is directed to a lens actuator used in combination with an optical disc. In the system described in Fujita, a lens holder 102 is made rotatable with respect to a base

plate 101 (see paragraph 0023). Support structure 104, which supports lens holder 102, is not rotatable with respect to base plate 101. Instead, contrary to the assertion made in the Office Action, Fujita states that supporting structure 104 is fixed to the base plate 101 (see paragraphs 0024 and 0026).

Thus, in Fujita, lens holder 102 is made rotatable in a tilt direction with respect to base plate 101, while also being driven in the focusing and tracking directions. Consequently, the relative position of lens holder 102 with respect to tilt magnets 112a and 112b changes as lens holder 102 is moved for focusing and tracking. This leads to complications while performing focus and tracking control. In the present invention, however, changes in focus and tracking control of the lens holding body do not have the same effect because tilt control is implemented between the support body and the optical base.

JP '695 is directed to a tilt coordination mechanism. The Office Action cites that document as describing the positioning of a lens holding body within an optical base, and a drive mechanism which converts torque to a driving force. Applicant submits that this document fails to remedy deficiencies discussed above with respect to Fujita. In particular, JP '695 describes a tilt function in which the whole optical pickup device is tilted. Such a mechanism is different from the invention as presently claimed, in which a support body is made rotatable with respect to an optical base holding a light source.

Accordingly, Applicant submits that Fujita and JP '695, taken alone or in combination, fail to disclose or suggest at least the feature of a support body for supporting a lens holding body so that the lens holding body is movable in at least one of a focusing direction and a tracking direction of the objective lens with respect to the support body, and

an optical base which holds the light source and the support body so that the support body is rotatable around a rotation axis perpendicular to the focusing direction and tracking direction, as recited in independent Claim 1.

Applicant submits the dependent claims are allowable for the same reasons discussed above with respect to independent Claim 1, and further submits that the claims should be considered independently in view of the features recited therein which further distinguished them from the applied art.

For the foregoing reasons, Applicant requests withdrawal of the rejections under 35 U.S.C. §102 and § 103.

This Amendment After Final Rejection is an earnest attempt to advance prosecution and is believed to clearly place this application in condition for allowance. At the very least, the changes presented herein reduce the number of issues on appeal. Accordingly, Applicants request entry of this Amendment under 37 C.F.R. § 1.116.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Justin J. Oliver', is written over a horizontal line.

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